

PATENT
Customer No. 22,852
Attorney Docket No. 06530.0295

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Robert DeVRIES et al.) Group Art Unit: 3739
Application No.: 10/748,243) Examiner: Not yet assigned
Filed: December 31, 2003)
For: DEVICES AND METHODS FOR)
TISSUE INVAGINATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine

that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

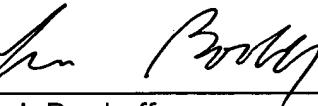
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

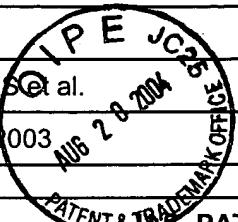
Dated: August 20, 2004

By: _____


Leslie I. Bookoff
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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06530.0295-00	Appn. No.	10/748,243
Applicant	Robert DeVRIES et al.		
Filing Date	December 31, 2003	Group:	Unassigned.



U.S. PATENT DOCUMENT						
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,088,979	02/18/1992	Filipi et al.			
	5,091,205	02/25/1992	Fan			
	5,938,586	08/17/1999	Wilk et al.			
	6,086,600	07/11/2000	Kortenbach			
	6,312,437	11/06/2001	Kortenbach			
	6,749,601	06/15/2004	Chin			

U.S. PATENT APPLICATION PUBLICATION DOCUMENT						
Examiner Initial*	Document Number	Pub. Date	Name	Class	Sub Class	Filing Date If Appropriate
	2002/0156344 A1	10/24/2002	Pasricha et al.			
	2003/0236536 A1	12/25/2003	Grigoryants			
	2004/0044364 A1	03/03/2004	DeVries et al.			
	2004/0087976 A1	05/06/2004	DeVries et al.			

FOREIGN PATENT DOCUMENTS						
	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
<input checked="" type="checkbox"/>	WO 02/28289 A1	04/11/2002	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Charles J. Lightsdale, M.D., "Gastroesophageal Reflux Disease: New Endoscopic Treatments," <u>Digestive Disease Week 2001 (Day 3 - May 22, 2001), Atlanta, GA.</u>
	R.J. Mason, T.R. DeMeester, et al., "Per Oral Endoscopic Nissen Fundoplication: The Introduction of a New Era," <u>Program and Abstracts of Digestive Disease Week 2001, Atlanta, Ga.</u>

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.